

**ASSEMBLY BILL**

**No. 1724**

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**Introduced by Assembly Member Chesbro**  
(Coauthor: Senator Aanestad)

February 3, 2010

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An act to add Section 42283.3 to the Education Code, relating to necessary small schools, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1724, as introduced, Chesbro. Necessary small schools: Del Norte County Unified School District.

(1) Existing law defines a necessary small school as an elementary school with an average daily attendance of less than 101, exclusive of pupils attending grades 7 and 8 of a junior high school, maintained by a school district that maintains 2 or more schools, that meets other criteria involving combinations of distance and average daily attendance. Existing law requires the county superintendent of schools to make computations for each elementary and secondary school district that has fewer than 2,501 units of second principal apportionment average daily attendance and maintains at least one school that meets the criteria for a necessary small school.

This bill would deem Gasquet Mountain Elementary School and Margaret Keating Elementary School to be necessary small schools and make the Del Norte County Unified School District eligible to receive apportionments for each school pursuant to its status as a necessary small school. This bill would provide that if the average daily attendance of either school exceeds 100, then the school would no longer be eligible to receive apportionments as a necessary small school.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the Del Norte County Unified School District.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. The Legislature finds and declares that the Del  
2     Norte County Unified School District is considered to be a large  
3     unified school district that serves pupils from a wide and varied  
4     geographic area. Within these areas, Gasquet Mountain Elementary  
5     School and Margaret Keating Elementary School each have an  
6     average daily attendance of fewer than one hundred. Pupils  
7     presently attending Gasquet Mountain Elementary School and  
8     Margaret Keating Elementary School would have to travel long  
9     distances over hazardous terrain in order to attend other schools  
10    within the Del Norte County Unified School District.

11    SEC. 2. Section 42283.3 is added to the Education Code, to  
12    read:

13    42283.3. (a) Notwithstanding any other provision of law, the  
14    Gasquet Mountain Elementary School and the Margaret Keating  
15    Elementary School each shall be deemed a necessary small school,  
16    as defined in Section 42283. Notwithstanding any other provision  
17    of law, commencing with the 2010–11 fiscal year, the Del Norte  
18    County Unified School District shall receive apportionments for  
19    the Gasquet Mountain Elementary School and the Margaret Keating  
20    Elementary School pursuant to Section 42282.

21    (b) If the amount of average daily attendance of the Gasquet  
22    Mountain Elementary School or the Margaret Keating Elementary  
23    School exceeds 100, then that school shall no longer be entitled  
24    to receive apportionments as a necessary small school.

25    SEC. 3. The Legislature finds and declares that a special law  
26    is necessary and that a general law cannot be made applicable  
27    within the meaning of Section 16 of Article IV of the California  
28    Constitution because of the unique circumstances relating to the  
29    Del Norte County Unified School District as set forth in Section  
30    1 of this act.

1 SEC. 4. This act is an urgency statute necessary for the  
2 immediate preservation of the public peace, health, or safety within  
3 the meaning of Article IV of the Constitution and shall go into  
4 immediate effect. The facts constituting the necessity are:

5 In order to make necessary small school apportionments available  
6 to the Del Norte County Unified School District prior to the  
7 2010–11 school year, it is necessary that this act take effect  
8 immediately.

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